

REORGANIZATION PLAN

NO. 3 OF 1961¹

Prepared by the President and transmitted to the Senate and the House of Representatives in Congress assembled, May 3, 1961, pursuant to the provisions of the Reorganization Act of 1949, as amended.

CIVIL AERONAUTICS BOARD

SECTION 1. *Authority to delegate.*—(a) In addition to its existing authority, the Civil Aeronautics Board, hereinafter referred to as the "Board", shall have the authority to delegate, by published order or rule, any of its functions to a division of the Board, an individual Board member, a hearing examiner, or an employee or employee board, including functions with respect to hearing, determining, ordering, certifying, reporting or otherwise acting as to any work, business, or matter; *provided, however*, that nothing herein contained shall be deemed to supersede the provisions of section 7(a) of the Administrative Procedure Act (60 Stat. 241), as amended.

(b) With respect to the delegation of any of its functions, as provided in subsection (a) of this section, the Board shall retain a discretionary right to review the action of any such division of the Board, individual Board member, hearing examiner, employee or employee board, upon its own initiative or upon petition of a party to or an intervenor in such action, within such time and in such manner as the Board shall by rule prescribe, *provided, however*, that the vote of a majority of the Board less one member thereof shall be sufficient to bring any such action before the Board for review.

(c) Should the right to exercise such discretionary review be declined, or should no such review be sought within the time stated in the rules promulgated by the Board, then the action of any such division of the Board, individual Board member, hearing examiner, employee or employee board, shall, for all purposes, including appeal or review thereof, be deemed to be the action of the Board.

SECTION 2. *Transfer of functions to the Chairman.*—In addition to the functions transferred by the provisions of Reorganization Plan No. 13 of 1950 (64 Stat. 1266), there are hereby transferred from the Board to the Chairman of the Board the functions of the Board with respect to the assignment of Board personnel, including Board members, to perform such functions as may have been delegated by the Board to Board personnel, including Board members, pursuant to section 1 of this reorganization plan.

Transmitted May 3, 1961.
Effective July 3, 1961.
63 Stat. 203.
Ante, p. 41.
5 USC 133z note.

5 USC 1006.

5 USC 133z-15 note.

REORGANIZATION PLAN

NO. 4 OF 1961

Prepared by the President and transmitted to the Senate and the House of Representatives in Congress assembled, May 9, 1961, pursuant to the provisions of the Reorganization Act of 1949, 63 Stat. 203, as amended.

¹ Reorganization Plan No. 1 of 1961 disapproved by the Senate June 21, 1961 (S. Res. 148); and Reorganization Plan No. 2 of 1961 disapproved by the House of Representatives June 15, 1961 (H. Res. 303).

Transmitted May 9, 1961.
Effective July 9, 1961.
63 Stat. 203.
Ante, p. 41.
5 USC 133z note.